

Republic of the Philippines
HOUSE OF REPRESENTATIVES

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 1296



INTRODUCED BY HONORABLE DARLENE R. ANTONINO-CUSTODIO

EXPLANATORY NOTE

It has been noted both here and abroad that violations against the Special Protection of Children Against Abuse, Exploitation and Discrimination Act otherwise known as Republic Act No. 7610 continue unabated. The most odious of these is the continuing substantial number of child rape and sexual molestations as well as cases of child prostitution involving minors below the age of twelve (12).

What has made the situation even more scandalous is the deplorable or outrightly corrupt manner by which some local government and law enforcement officials, as well as members of the Justice sector, have handled cases of those violations.

This bill intends to help correct the situations by amending Republic Act No. 7610 to wit:

1. cases involving children below twelve (12) years old shall automatically require a hold order for those accused to prevent them from fleeing abroad, and
2. Law enforcers and members of the Judiciary Department found guilty of violations including willfully abetting these crimes or causing or assisting in the plight of those accused shall be meted out the maximum penalty.

It is hoped that this bill, once passed into law, will help deter those in government who would conspire to allow the pedophiles to run free from justice.


DARLENE R. ANTONINO-CUSTODIO

Republic of the Philippines
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Quezon City

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House Bill No. 1296

INTRODUCED BY REPRESENTATIVE DARLENE R. ANTONINO-CUSTODIO

**AN ACT AMENDING REPUBLIC ACT NO. 7610 OTHERWISE KNOWN AS
“THE SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE,
EXPLOITATION AND DISCRIMINATION ACT”, AND FOR OTHER
PURPOSES**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. A new section to be denominated as Section 30-A shall be added between Section 30 and 31 of Republic No. 7610, otherwise known as the “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act”, which shall read as follows:

“SEC. 30-A. *REMEDIAL MEASURES; AUTOMATIC HOLD ORDERS FOR THOSE ACCUSED.*- NO PERSON ACCUSED OF VIOLATIONS AGAINST REPUBLIC ACT 7610, INCLUDING FOREIGNERS, MAYBE ALLOWED TO LEAVE THE COUNTRY DURING THE PENDENCY OF THEIR CASE. FOR THIS PURPOSE, THE BUREAU OF IMMIGRATION SHALL AUTOMATICALLY ISSUE A HOLD ORDER AGAINST ANY FOREIGN TRAVEL BY ANY ACCUSED.”

SEC. 2. Section 11 of the same Act is hereby amended to read as follows:

“SEC. 11. *Sanctions for Establishments or Enterprises which Promote, Facilitate, or Conduct Activities Constituting Child Prostitution and Other Sexual Abuse, Child Trafficking, Obscene Publications and Indecent Shows, and Other Acts of Abuse.* – x x x

x x x

ANY LAW ENFORCER OR OFFICIAL OR EMPLOYEE OF THE JUSTICE DEPARTMENT, INCLUDING THE BUREAU OF IMMIGRATION AND THE JUDICIARY WHO FACILITATES THE ESCAPE OF PERSONS ACCUSED OF VIOLATIONS OF THIS ACT SHALL BE PROSECUTED, AND IF FOUND GUILTY, SHALL BE PUNISHED BY IMPRISONMENT

OF NOT LESS THAN FIVE (5) YEARS AND NOT MORE THAN TWELVE (12) YEARS.

A LAW ENFORCER OR OFFICIAL OR EMPLOYEE OF THE JUSTICE DEPARTMENT OR OF THE JUDICIARY SHALL BE DEEMED TO HAVE FACILITATED THE ESCAPE OF AN ACCUSED OR CAUSED A MISCARRIAGE OF JUSTICE IF:

1. HE OR SHE FAILS TO INFORM THE BUREAU OF IMMIGRATION OF A CASE OF VIOLATION OF THIS ACT; OR
2. HE OR SHE FAILS TO ISSUE THE HOLD ORDER AGAINST ANY ACCUSED IN ACCORDANCE WITH THIS ACT; OR
3. REFUSES TO ARREST ANY ACCUSED PURSUANT TO HIS/HER DUTIES AS STIPULATED IN THIS ACT; OR
4. FAILS TO PREVENT ANY ACCUSED FROM LEAVING THE COUNTRY; OR
5. IN HIS OR HER CUSTODY, ANY ACCUSED ESCAPES DETENTION AND/OR SUCCEEDS IN LEAVING THE COUNTRY.”

SEC. 3. *Repealing Clause.*- all Acts and Decrees or parts of Acts and Decrees, executive orders, laws, ordinances and statutes and their implementing rules and regulations inconsistent with the provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 4. *Separability Clause.*- If any provision or parts of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 5. *Effectivity.*- This Act shall take effect upon its approval.

Approved,